

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

FRANCA SANCHEZ,	:	CIVIL ACTION NO. 3:20-CV-858
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
TREESMITHS, INC., d/b/a	:	
TREESMITHS UTILITY ARBORIST,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 16th day of March, 2021, upon consideration of the report (Doc. 25) of Magistrate Judge Martin C. Carlson, recommending that the court deny defendant's motion (Doc. 8) to dismiss plaintiff's complaint for failure to state a claim for which relief may be granted, and it appearing that defendant has not objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge's conclusions "may result in forfeiture of *de novo* review at the district court level," Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should afford "reasoned consideration" to the uncontested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (quoting Henderson, 812 F.2d at 879), in order to "satisfy itself that there is no clear error on the face of the record," FED. R. CIV. P. 72(b), advisory committee notes, and, following an independent review of the record, the court being in agreement with Judge Carlson's recommendation, and

concluding that there is no clear error on the face of the record, it is hereby

ORDERED that:

1. Magistrate Judge Carlson's report (Doc. 25) is ADOPTED.
2. Defendant's motion (Doc. 8) to dismiss plaintiff's complaint (Doc. 1) is DENIED.
3. The stay of discovery imposed by the court's order (Doc. 23) of October 27, 2020 is LIFTED.
4. The parties shall meet and confer and, on or before **March 30, 2021**, submit to the court a joint proposed case management schedule in accordance with the court's trial term calendar attached hereto.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania